

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

IN RE WORLD TRADE CENTER LOWER
MANHATTAN DISASTER SITE LITIGATION

21 MC 102 (AKH)

**STIPULATION AND
ORDER OF DISMISSAL**

This order relates to:
07 Civ. 1467 (AKH)

-----X

IT IS HEREBY STIPULATION AND AGREED by and between the undersigned, the attorneys of record for the parties to the above-entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued without prejudice as against defendants, McClier Corporation only, without costs to either party as against the other.

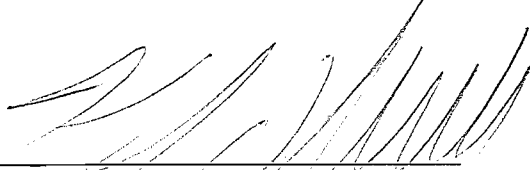
IT IS FURTHER STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that McClier Corporation is/are a proper party to this suit, plaintiff may reinstitute the action without regards

to the applicable statute of limitations, assuming said original action was timely commenced and in such instance these defendants shall not assert the statute of limitations as a defense.

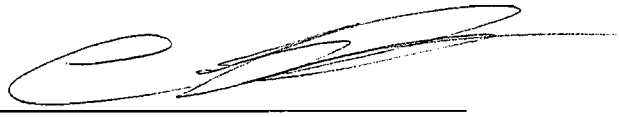
This stipulation may be filed without further notice with the Clerk of the Court.

Dated: October ~~20th~~^{24th}, 2007
New York, New York

GOGICK, BYRNE & O'NEILL, LLP

By: 
KEVIN J. O'NEILL (KJO5113)
Attorneys for Defendants,
McClier Corporation
11 Broadway, Suite 1560
New York, New York 10004
(212) 422-9424

WORBY GRONER EDELMAN & NAPOLI
BERN, LLP

By: 
CHRISTOPHER R. LOPALO (CL6466)
Attorneys for Plaintiff
115 Broadway, 12th Floor
New York, New York 10006
(212) 587-0031

SO ORDERED: 10.23-07


HON. ALVIN K. HELLERSTEIN

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

07 Civ. 1467 (AKH)
21 MC 102 (AKH)

IN RE WORLD TRADE CENTER LOWER
MANHATTAN DISASTER SITE LITIGATION

-----X

STIPULATION AND ORDER OF DISMISSAL

GOGICK, BYRNE & O'NEILL, LLP
Attorneys for Defendant,
McClier Corporation
11 Broadway, Suite 1560
New York, New York 10004-1314
(212) 422-9424